

The New York Times
Thursday, April 22, 1943

TEXTS OF THE STATEMENTS ON JAPAN

By The Associated Press.

WASHINGTON, April 21 - The texts of President Roosevelt's statement on the execution of some of the American fliers who raided Japan and of the State Department's communication to Japan follow:

PRESIDENT'S STATEMENT

It is with a feeling of deepest horror, which I know will be shared with all civilized peoples, that I have to announce the barbarous execution by the Japanese Government of some of the members of this country's armed forces who fell into Japanese hands as an incident of warfare.

The press has just carried the details of the American bombing of Japan a year ago. The crews of two of the American bombers were captured by the Japanese.

On October 19, 1942, this Government learned from Japanese radio broadcasts of the capture, trial and severe punishment of those Americans. Continued endeavor was made to obtain confirmation of those reports from Tokyo.

It was not until March 12, 1943, that the American Government received the communication given by the Japanese Government stating that these Americans had in fact been tried and the death penalty had been pronounced against them. It was further stated that the death penalty was commuted for some but that the sentence of death had been applied to others.

This Government has vigorously condemned this act of barbarity in a formal communication sent to the Japanese Government. In that communication this Government has informed the Japanese Government that the American Government will hold personally and officially responsible for these diabolical crimes all of those officers of the Japanese Government who have participated therein and will in due course bring those officers to justice.

This recourse by our enemies to frightfulness is barbarous. The effort of the Japanese war lords to intimidate us will utterly fail. It will make the American people more determined than ever to blot out the shameless militarism of Japan.

I have instructed the Department of State to make public the text of our communication to the Japanese Government.

State Department's Note

Text of the United States Reply
To The Japanese Government,
April 12, 1943

The Government of the United States has received the reply of the Japanese Government conveyed under date of Feb. 17, 1943, to the Swiss Minister at Tokyo to the inquiry made by the Minister on behalf of the Government of the United States concerning the correctness of reports broadcast by Japanese radio stations that the Japanese authorities intended to try before military tribunals American prisoners of war, for military operations, and to impose upon them severe penalties, including even the death penalty.

The Japanese Government states that it has tried the members of the crews of American planes who fell into Japanese hands after the raid on Japan on April 18 last, that they were sentenced to death and that, following commutation of the sentence for the larger number of them, the sentence of death was applied to certain of the accused.

The Government of the United States has subsequently been informed of the refusal of the Japanese Government to treat the remaining American aviators as prisoners of war, to divulge their names, to state the sentences imposed upon them or to permit visits to them by the Swiss Minister as representative of the protecting power for American interests.

The Japanese Government alleges that it has subjected the American aviators to this treatment because they intentionally bombed non-military installations and deliberately fired on civilians, and that the aviators admitted these acts.

The Government of the United States informs the Japanese Government that instructions to American armed forces have always ordered those forces to direct their attacks upon military objectives. The American forces participating in the attack on Japan had such instructions and it is known that they did not deviate therefrom. The Government of the United States brands as false the charge that American aviators intentionally have attacked noncombatants anywhere.

Japan's Methods Questioned

With regard to the allegation of the Japanese Government that the American aviators admitted the acts of which the Japanese Government accused them, there are numerous known instances in which Japanese official agencies have employed brutal and bestial methods in extorting alleged confessions from persons in their power. It is customary for those agencies to use statements obtained under torture, or alleged statements, in proceedings against the victims.

If the admissions alleged by the Japanese Government to have been made by the American aviators were in fact made, they could only have been extorted fabrications.

Moreover, the Japanese Government entered into a solemn obligation by agreement with the Government of the United States to observe the terms of the Geneva Prisoners of War Convention. Article I of that Convention provides for treatment as prisoners of war of members of armies and of persons captured in the course of military operations at sea or in the air. Article LX provides that upon the opening of a judicial proceeding directed against a prisoner of war, the representative of the protecting power shall be given notice thereof at least three weeks prior to the trial and of the names and charges against the prisoners who are to be tried. Article LXI provides that no prisoner may be obliged to admit himself guilty of the act of which he is accused.

Article LXII provides that the accused shall have the assistance of qualified counsel of his choice and that a representative of the protecting power shall be permitted to attend the trial. Article LXV provides that sentence pronounced against the prisoners shall be communicated to the protecting power immediately. Article LXVI provides, in the event that the death penalty is pronounced, that the details as to the nature and circumstances of the offense shall be communicated to the protecting power, for transmission to the power in whose forces the prisoner served, and that the sentence shall not be executed before the expiration of a period of least three months after such communication. The Japanese Government has not complied with any of these provisions in its treatment of the captured American aviators.

Demands Information

The Government of the United States calls again upon the Japanese Government to carry out its agreement to observe the provisions of the Convention by communicating to the Swiss Minister at Tokyo the charges and sentences imposed upon the American aviators, by permitting the Swiss representatives to visit those now held in prison, by restoring to those aviators the full rights to which they are entitled under the Prisoners of War Convention, and by informing

the Minister of the names and disposition or place of burial of the bodies of any of the aviators against whom sentence of death has been carried out.

If, as would appear from its communication under reference, the Japanese Government has descended to such acts of barbarity and manifestations of depravity as to murder in cold blood uniformed members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commitment and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the Rules of Warfare accepted and practiced by civilized nations, as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve.

THE NEW YORK TIMES

ニューヨークタイムス 千九百四十三年四月二十日 木曜日

日本ニ對スル聲明 主文

182 The Associated Press / WASHINGTON / 四月二十一日 卷一 日本

襲撃ノ米國飛行士若干名ノ處刑ニ關スルルースウェルト大統領ノ
聲明並ニ日本ニ對スル國務省通告ノ主文ハ左ノ通りデアル。

大統領聲明

總ベテ文明國人ハ共感スルデアラウコトヲ余ハ知ツテキルガソノ最モ深
刻ナ恐怖ノ感情ヲ以テ余ハ戦争ノ一出來事トシテ、日本側ノ予ニ落チ
タ我軍兵員若干名ニ對スル日本政府ノ野蠻ナル處刑ヲ發表セネバ
ナラナイ。只今各新聞ハ一年前ノアメリカノ日本爆撃ノ詳報ヲ傳ヘテ居リ、
ニ台米國爆撃機ノ搭乗員ハ日本側ニ捕ヘラレタ。千九百四十二年十月十九日ニ我政府ハ日本ノラヂヲ放送ニヨリコレヲ
米國人ノ逮捕、裁判及ビ嚴酷ナル處罰ニ關シテ知ツタ。東京ヨリノ
コレヲ報道ニツイテ確認ヲ得ルタメ、繼續的ガ力カサマレタ。千九百四十三年三月十二日ニ至リ、初メテ米國政府ハ是等米國人ノ事
實裁判ニ附セラレ死刑ノ宣告ガ彼等ニ對シテ下セラレタ旨ノ日本政府
ノ通告ヲ受取ツタ。ソレニハ更ニ此ノ死刑ハ若干名ニ對シテ減刑セラ
カ他ノ若干名ニ對シテハステニ死刑ノ宣告ガ適用セラレデアッタ
ト述ベテアツタ。我政府ハ日本政府ニ送ッタ公式通告ノ中デ此ノ變行ヲ強ク非
難シタ。右通告中デアメリカ政府ハコレニ關與シタスベテノ日泰政
府ノ官更ニ是等極惡非道ノ犯罪ニ對シ個人的ニモ公的ニモ責
任アリトナシ、然ルベキ時機ニ是等官更ハ法ニ照ラシテ處罰スベキ
旨日本政府ニ通告シタ。

J.P.S. Doc. 3274

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吾々、敵が威嚇政略ニ訴ヘルヤリ方、野蠻ナリ。

吾々ヲ威嚇セトスル日本軍部將領達、皆方、全ク失敗ニ
歸スルヲアラウ、ソレハ本國民ヲシテ無恥ナル日本軍國主義ヲ
抹殺スベク一層決意ヲ固メシムルヲアラウ。

余、日本政府ニ対スル我方通告、主文ヲ公表スル様國務
省ニ命ジタ。

國務省覺書

千九百四十三年四月十二日附、日本政府ニ対スル合衆國回答
主文

合衆國政府、日本、當局者ガアメリカ、俘虜ヲシ、軍事行動
ニ対シ軍事裁判ニ於テ審理シ且死刑ヲサヘ合衆國嚴酷ナル刑
罰ヲ彼等ニ科セトシテナルト、日本、ラゲオ放送局、放送、
正名ニ関シ合衆國政府ヲ代表シテ在東京瑞西公使ニ依
リテナサレタ質問ニ付、千九百四十三年二月十七日附ヲ以テ
同公使ニ傳ヘラタ日本政府、回答ヲ受領シタ。

日本政府ハ昨年四月十八日、日本空襲ノ後、日本側ノ手ニ落タテ、アメリカ飛行機搭乗員ヲ裁判シ、ト彼等カ死刑ノ宣告ヲ受ケタト及ヒ彼等ノ半数以上ガ減刑サセ、後若干被告ニ死刑ノ宣告ガ執行セラコトヲ述ベテ、合衆國政府ハ次ヲ殘餘ノアメリカ飛行士ヲ俘虜カトシテ取扱フコト、彼等ノ名前ヲ發表スルコト、彼等ニ下サレタ判決ヲ知ラセルコト又ハアメリカノ利益保護國代表トシテ、瑞西公使カ彼等ヲ訪問スルヲ許スコト、以上ニ對シ、日本政府ハ拒絶シ、ト日ノ通告ヲ受ケタ、日本政府ハアメリカカ飛行士カ故意ニ作、軍事施設ヲ爆撃シ、故意ニ作、戰闘員ヲ射撃シ、シタタメ、彼等ヲ拘ナ、取扱ヒトシ、モノアリ、又、彼等ハ是等ノ行為ヲ認メタト、主張シテ、キル

合衆國政府ハ、米國軍隊ニ對シ、指示ハ、常ニシテ、軍隊ニシ、ノ攻撃ヲ、軍事目標ニ指向サルベキコトヲ命令シ、テ、キルコトヲ、日本政府ニ通告スル、日本ニ對スル、攻撃ニシ、タ、米國軍隊ハ、カ、ル命令ヲ受ケ、テ、居リ、又、彼等ガ、コレニ、違反シ、日、シ、カ、タ、コトハ、知ラ、シ、テ、キル、合衆國政府ハ、アメリカカ飛行士カ、何、カ、ノ場所ヲ、故意ニ、作、戰、闘、員ヲ、射、撃、シ、タ、ト、非、難、ハ、虚、偽、ナリト、断、ル

日本側ノ措置ヲ、列ス

日本政府ハ、罪アリト主張スル行為ヲ、アメリカカ飛行士カ、認メタト、日本政府ノ主張ニ、因、テ、ハ、日本政府、諸、機、関、カ、彼等ノ、勢力、内、ニ、在、ル、者ニ、所謂、自、白、ト、稱、ス、ル、モノヲ、無、理、強、ニ、行、ハ、シ、タル、降、獸、的、ナ、作、道、ヲ、方、法、ヲ、用、ヒ、タ、タ、多、數

周知、実例^{（ア）}が、機關が犠牲者^{（イ）}である訴訟手
続中ニ拷問ノ下ニ得^{（ウ）}る（イ）即ち彼等ノ所謂供
述ヲ用^{（ロ）}ひるハ、例^{（エ）}外ニ。

アメリカ飛行士ニ依^{（オ）}つてサウスト日本政府、主張スル自
白が實際ニサウスト^{（カ）}モ 彼等飛行士、虐害、
事實ヲ無理強^{（キ）}ヒ認^{（ク）}む以外^{（ケ）}ハアリ得^{（コ）}ない
ソ、上 日本政府、合衆國政府ト、協定ニ依^{（コ）}リ
シニテ、停戦條約ノ各項ヲ遵守スベキ嚴肅ナル
義務ヲ負^{（セ）}つた。同條約第一條、陸軍兵員
及ヒ海上及ヒ空中ニ於^{（セ）}ル軍事行動ノ間ニ捕^{（ヘ）}
へたる者ヲ停戦トシ取^{（リ）}扱^{（フ）}フニ規定^{（ス）}せん。

第六十條ハ停戦ニ對スル裁判手續、開始ニ際
ニ利益保護國代表ニ取^{（リ）}テ限^{（リ）}裁判ノ三週
間以前ニ^{（イ）}シニ就^{（キ）}テ通知スベキコト又姓名ト裁判
サルベキ停戦ニ對スル起訴理由ヲ通知スベキコトヲ規
定^{（ス）}せん。第六十一條ハ如何^{（ニ）}ル停戦^{（イ）}ノ生^{（キ）}起^{（ス）}ル
タル行為ニ^{（イ）}テ有^{（ル）}罪ト認^{（ム）}ムコトヲ強制^{（ス）}シテ、^{（イ）}テ
ニ^{（イ）}テ規定^{（ス）}せん。

J.P.S. Doc. 32274

第六十二條、被告ニ彼、選擇セシ有資格、保護人、援助ヲ得シベキコト、及び利益保護國代表が裁判ニ立会フコトヲ許サルベキコトヲ規定シテ有ル。第六十五條、俘虜ニ對シ宣告セラレタ判決、直ニ利益保護國ニ通知サルベキコトヲ規定シテ有ル。第六十六條、死刑宣告、場合ニハ、俘虜が服務シタ軍隊、所屬スル國ニ傳達スル爲ニ、犯罪ノ性質、及び状況ニツイテ詳細ヲ利益保護國ニ通知スベキコト、及び、判決ハル通知後、少クモ三ヶ月、期間、満了前ニ執行スベカラサルコトヲ規定シテ有ル。日本政府、捕ヘラシタアメリカ飛行工、取扱上是等、規定、何レニモ従フテ有テイデアル。

通知ヲ要求ス

合衆國政府ハアメリカ飛行工ニ對スル起訴理由ト下シタ判決ヲ在東京瑞西公使ニ通知スルコトニ依リ、瑞西ノ代表ニ現在投獄サレテ居ル者ヲ訪問スルコトヲ許ス下ニ依リ、其等、飛行工ニ彼等が俘虜條約、下ニ当然與ヘラレベキ完全ナル權利ヲ恢復セシタルコトニ依リ、ソシテ又、瑞西公使、死刑、判決ヲ執行セラレタルスベテ、飛行工、姓名、處分、若クハ遺骸、埋葬場所ヲ通知スルコトニ依リ、條約、規定ヲ遵守スベキ日本政府、約定ヲ実行スベキニ、再ビ日本政府ニ要求スル。

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若シ右ニ言及セル、通知ヨリ明カデテ、如何、日本政府が戦争ノ事件トシテ、俘虜トテ、アメリカ軍、制服着用、兵員ヲ冷酷ニ殺害スルガ如キ暴虐ナル行爲ト

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敗徳、曝露ニ迄墮落シテミマツテホリノデアレバ、アメリカ政府ハ、此ノ故意ノ犯罪ニ対シ、犯行ニ関係セル日本政府ノスベテノ官吏ニ個人的ニモ公的ニモ責任ヲ負ハシム然ルベキ時機ニ於テ此ノ官吏ヲ法ニ照ラシ處断セテスルモデアル。

アメリカ政府ハ、又、アメリカノ俘虜ニ關シ日本政府、保証、其レ、如何ナル違背ニ対シテ又ハ文明國家、認め實施シ居ル戦争法規ニ違反シテアメリカ俘虜ニ加ヘラシメ如何ナルレ、犯罪的變行ニ対シテ又、現在進行中、軍事行動ガソノ不勳且不可避的終局ヲ見タル時、アメリカ政府ハ、カル非文明、非人道的行爲ニ對シテ責任アル日本政府官吏ニソノ値スル刑罰ヲ以テ報イテスルモデアルコトヲ、アメリカ政府ハ日本政府ニ嚴肅ニ警告スル。